

NORFOLK, VIRGINIA

ACTION OF THE COUNCIL

TUESDAY, JULY 8, 2014 – 7:00 P.M.

Prayer offered by Vice Mayor Angelia Williams, followed by the Pledge of Allegiance.

The following members were present: Ms. Johnson, Mr. Protogyrou, Mr. Riddick, Mr. Smigiel, Dr. Whibley, Mr. Winn, Ms. Williams and Mr. Fraim.

President Fraim moved to dispense with the reading of the minutes of the previous meeting.

Motion adopted.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn and Fraim.

No: None.

CERTIFICATION OF CLOSED MEETING

A Resolution entitled, "A Resolution certifying a closed meeting of the Council of the City of Norfolk in accordance with the provisions of the Virginia Freedom of Information Act," was introduced in writing and read by its title.

ACTION: The Resolution as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

PUBLIC HEARING

PH-1

PUBLIC HEARING scheduled this day under the State law, public notice having been inserted in the local press by the City Clerk, to hear comments on an Ordinance to amend and reordain, the title of Section 14.1-56, Hunton Y. Precinct, **SO AS TO** change the name of the precinct to Ruffner Precinct; to amend and reordain Subsection 14.1-75 (24), **SO AS TO** change the name of the Precinct; to amend Section 14.1-106 **SO AS TO** change the voting place of the Ballentine Precinct; to amend and reordain Section 14.1-122, Hunton Y. Precinct, **SO AS TO** change the name of the precinct and its voting place.

The following people spoke in opposition to this matter, Cynthia Garrett, 3556 Riverside Drive, Michelle Cook, 589 Ruffner Street, James Watson, 703 East Virginia Beach Boulevard, Marion Schnieder, 1220 L. Street, N.W. Washington, D.C.

Thereupon, an Ordinance entitled, “An Ordinance to amend and reordain Subsection 14.1-75 (24), **SO AS TO** change the name of the precinct to amend Section 14.1-106 **SO AS TO** change the voting place of the Ballentine Precinct,” was introduced in writing and read by its title.

ACTION: The Ordinance as amended and introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Frain.

No: None.

REGULAR AGENDA

R-1

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to Robert Huber authorizing the operation of an eating and drinking establishment known as “**Bobbywood**” on property located at **143 and 145 Granby Street**,” will be introduced in writing and read by its title.

Bobby Huber, the applicant, 143 Granby Street, was present to answer questions regarding this matter.

ACTION: The Ordinance as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Frain.

No: None.

R-2

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to Melissa Dresen to permit the operation of a Commercial Drive-Through on property known as **East Beach Marketplace** located at **4231 East Little Creek Road**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Frain.

No: None.

R-3

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to Stephanie Wadnola authorizing the operation of an entertainment establishment named **‘Leiaunte’s’** on property located at **5802 East Virginia Beach Boulevard, Suite 140**,” was introduced in writing and read by its title.

Stephanie Wadnola, the applicant, 3305 Georgie Court was present to answer questions in this matter.

ACTION: The Ordinance as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Smigiel, Whibley, Williams, Winn, and Frain.

No: Riddick.

R-4

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to LLR Restaurant Organization, Ltd., authorizing the operation of an entertainment establishment named **‘Norfolk Tap Room’** on property located at **101 Granby Street**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Frain.

No: None.

R-5

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to the Lizard Café, LLC authorizing the operation of an eating and drinking establishment known as ‘**The Lizard Café**’ on property located at **109 East Main Street, Suite 150,**” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Frain.

No: None.

R-6

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to Granby Fresh Mex, LLC, authorizing the operation of an eating and drinking establishment known as ‘**Moe’s Southwest Grill**’ on property located at **7550 Granby Street, Suite 40,**” was introduced in writing and read by its title.

ACTION: The Ordinance as amended was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Frain.

No: None.

R-7

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a **Special Exception** to the Grilled Cheese Bistro, LLC, authorizing the operation of an eating and drinking establishment known as ‘**The Grilled Cheese Bistro**’ on property located at **345 Granby Street,**” was introduced in writing and read by its title.

Dina Taylor, the applicant, 229 W. Bute Street, #212, was present to answer questions in this matter.

ACTION: The Ordinance as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Frain.

No: None.

R-8

Letter from the City Manager and an Ordinance entitled, “An Ordinance granting a Special Exception to Alonso, Inc., authorizing the operation of an entertainment establishment named **‘Pancho-N-Luigi’s’** on property located at **4012 Colley Avenue**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-9

Letter from the City Manager and an Ordinance entitled, “An Ordinance appropriating Thirty Five Thousand Dollars (\$35,000.00) and authorizing the expenditure thereof by the Sheriff, if and when received from the **Deputy Fund Service Special Revenue Account**, to pay for holding functions for his employees, extending condolences and congratulations to his employees and similar incentive-related benefits for his employees,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-10

Letter from the City Manager and an Ordinance entitled, “An Ordinance appropriating One Hundred Seventy One Thousand One Hundred Forty Eight Dollars (\$171,148) if and when received from the Sheriff and authorizing the expenditure thereof towards salaries and benefits for three **Sheriff Employees**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-11

Letter from the City Manager and an Ordinance entitled, “An Ordinance approving the acceptance of receipts from a **Special Revenue Project, The Sheriff’s Community Corrections Program**, appropriating Seven Hundred Sixty Thousand Six Hundred and Thirteen Dollars (\$760,613.00) for Fiscal Year 2015, authorizing the expenditure thereof by the Sheriff, authorizing the Sheriff’s continued employment of twelve (12) persons for the program and providing funds for their salaries and benefits,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-12

Letter from the City Manager and an Ordinance entitled, “An Ordinance appropriating Three Hundred Sixty Thousand Dollars (\$360,000.00) from the **U.S. Marshal Service Special Revenue Account**, if and when received and authorizing the expenditure thereof at the direction of the Sheriff to pay for various employee benefits, equipment purchases and maintenance costs related to programs designed to improve the efficiency of the jail,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-13

Letter from the City Manager and an Ordinance entitled, “An Ordinance permitting **Gene Turck** to encroach into a 15’ alley at **419 W. 21st Street** with an existing roof ladder, two bollards and a 3’ ± concrete walkway,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-14

Letter from the City Manager and an Ordinance entitled, “An Ordinance appropriating and authorizing the expenditure of \$6,235,511.00 from the **Commonwealth of Virginia for the Fiscal Year 2015 Comprehensive Services Act for At-Risk Youth and Families Funds Pool Services**, appropriating and authorizing the expenditure of \$2,534,489.00 in local matching funds from the Norfolk Department of Human Services and the School Board of the City of Norfolk,” was introduced in writing and read by its title.

Dan Montague, 4605 Krick Street, spoke in opposition to this matter.

ACTION: The Ordinance as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-15

Letter from the City Manager and an Ordinance entitled, “An Ordinance accepting \$639,899 in funding from the Commonwealth of Virginia Department of Juvenile Justice for Fiscal Year 2015 in support of the **Virginia Juvenile Community Crime Control Act Program**, appropriating and authorizing the expenditure of the funds and authorizing the expenditure of \$639,899 in local cash matching funds for total program funding in the amount of \$1,279,798 to be administered by the City’s Department of Human Services for the Virginia Juvenile Community Crime Control Act Program,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

R-16

Letter from the City Manager and an Ordinance entitled, “An Ordinance approving a Right of Entry Agreement with **Ocean View Little League**,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

Letter from the City Manager and an Ordinance entitled, “An Ordinance to amend Chapter 42, Article I of the **Code of the City of Norfolk, Virginia, 1979**, **SO AS TO** authorize the installation of small, public spaces adjacent to sidewalks known as “parklets” in the right-of-way and to establish a permit process for review and approval,” was introduced in writing and read by its title.

ACTION: The Ordinance as introduced was **adopted**, effective July 8, 2014.

Yes: Johnson, Protogyrou, Riddick, Smigiel, Whibley, Williams, Winn, and Fraim.

No: None.

NEW BUSINESS

1. Sara Peoples Perry, 905 Pendleton Street, (Southside Coalition), stated that the citizens should have more input regarding the name and makeup of the new Campostella School.
2. Janice McKee, 902 Hatton Street, commented that the design of the new Campostella School looks like a prison and that it should have the same design as Larchmont School.
3. Rebecca Luce, 409 San Antonio Boulevard, thanked council for all they do and commented on the great picnic held at Northside Park.
4. John Taylor, 704 W. 29th Street, spoke on an issue with the Norfolk Circuit Court.
5. Mary Simpson Jones, 7505 Paulin Court, stated she was against the imposed fee when using a credit card to pay taxes in the City Treasurers Office.
6. Joe Johnson, 1415 Meads Road, asked that the City have Stop the Violence cook-outs and to have more events for kids and that council attend these events.
7. James Sherman, 9504 Alpine Street, commented on previous reports made to Norfolk Cares regarding potholes on Tidewater Drive, parking on the grass and the need to make streets motorcycle friendly.
8. John McPhillips, 138 Rogers Avenue, spoke on an employment issue with the Norfolk Public Library.

9. Ellis James, 2021 Kenlake Place, commented on the Mayor's Commission on Poverty Reduction report.
10. Dan Montague, 4605 Krick Street, commented on pushing the City forward in creating more businesses and jobs.
11. Danny Lee Ginn, 3844 Dare Circle, asked Council to revamp Five Points.